

Message Text

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ACTION EUR-12

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R 271315Z SEP 76

FM AMEMBASSY PRAGUE

TO SECSTATE WASHDC 1146

INFO USIA WASHDC

C O N F I D E N T I A L SECTION 01 OF 02 PRAGUE 2806

E.O. 11652: GDS

TAGS: PFOR SCUL CZ

SUBJECT: CULTURAL-SCIENTIFIC EXCHANGES TALKS

REFS A. PRAGUE 2792 B. PRAGUE 2584

1. AS PROMISED REF A WE TRANSMIT BELOW FULL TEXT OF U.S. DRAFT CULTURAL AND SCIENTIFIC AGREEMENT AS IT NOW STANDS, WITH DISPUTED OR UNSETTLED PORTIONS BRACKETED. WE NOW BECOME SOMEWHAT CONCERNED OF LATE THAT WITH ALL THE PROPOSED CHANGES IN NEGOTIATING TEXT WHICH HAVE BEEN SUBJECT OF OUR TELEGRAMS, DEPARTMENT MAY FIND IT DIFFICULT TO TRACE EVOLUTION FROM THE LAST FULL DRAFT TEXT, PRESENTED TO GOC IN OCTOBER 1975, INTO U.S. POSITION AS IT NOW APPEARS TO THE CZECHOSLOVAKS OVER THE NEGOTIATING TABLE. AT MEETING OCTOBER 1, WE EXPECT TO COME PROVIDED WE COME TO SOME UNDERSTANDING ON THE "INDIVIDUALS" VERY CLOSE TO REACHING AGREED TEXT AD REFERENDUM. THEREFORE, WE WANT TO BE CERTAIN THAT WE AND DEPARTMENT HAVE SAME TEXT IN MIND.

2. AT MARCH 18 MEETING, CZECHOSLOVAK NEGOTIATOR ZEMLA TABLED "OUTLINE" OF PROPOSED AGREEMENT, DIVIDING IT INTO "CHAPTERS" OR "SECTIONS." SUBSEQUENT CZECHOSLOVAK DRAFTS HAVE ADHERED TO THIS GENERAL OUTLINE WHICH PREVIOUS U.S. NEGOTIATOR PERRY ACCEPTED "WITH THE RESERVATION THAT THE EXACT WORDING (OF THE CHAPTER HEADINGS) BE KEPT AD REFERENDUM" ON APRIL 6. WE SEE NO OBJECTION TO CONTINUED USE OF ZEMLA
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OUTLINE, SO LONG AS THE WORDING MEETS OUR REQUIREMENTS.

THEREFORE, THE FOLLOWING U.S. DRAFT HAS BEEN REARRANGED
SLIGHTLY TO FIT OUTLINE.

3. DEPARTMENT WILL NOTICE THE INCLUSION, IN BRACKETS, OF
LANGUAGE STILL UNDER DISCUSSION (REF A). IN THIS RESPECT
FOLLOWING DRAFT REPRESENTS WHERE WE WOULD LIKE TO BE AT
OPENING OF OCTOBER 1 NEGOTIATING SESSION. ACTION REQUESTED: PLEASE
ADVISE DEPARTMENT'S REACTIONS TO THIS DRAFT AS SOON AS
POSSIBLE.

BEGIN TEXT: AGREEMENT BETWEEN THE GOVERNMENT OF THE
UNITED STATES OF AMERICA AND THE GOVERNMENT OF THE CZECHOSLOVAK
SOCIALIST REPUBLIC ON EXCHANGES AND COOPERATION IN
CULTURAL, EDUCATIONAL, SCIENTIFIC, TECHNICAL AND OTHER FIELDS.

PREAMBLE

THE GOVERNMENT OF THE UNITED STATES OF AMERICA AND THE
GOVERNMENT OF THE CZECHOSLOVAK SOCIALIST REPUBLIC,
CONSIDERING THE HISTORIC TIES BETWEEN THEIR PEOPLES;
DESIRIOUS OF FACILITATING AND PROMOTING MUTUAL COOPERATION
IN SCIENCE, TECHNOLOGY, CULTURE, EDUCATION AND OTHER FIELDS ON
PRINCIPLES OF EQUALITY, MUTUAL BENEFIT AND RESPECTING NATIONAL
SOVEREIGNTY;

BELIEVE THAT COOPERATION AND EXCHANGES IN SCIENCE,
TECHNOLOGY, CULTURE, EDUCATION, AND OTHER FIELDS WILL CONTRIBUTE
TO THE BROADENING OF UNDERSTANDING BETWEEN THE AMERICAN AND THE
CZECHOSLOVAK PEOPLES AND TO THE FURTHER DEVELOPMENT OF MUTUALLY
BENEFICIAL AND FRIENDLY RELATIONS BETWEEN THE TWO COUNTRIES; AND

REAFFIRMING THEIR DESIRE, IN THE INTEREST OF THEIR PEOPLES,
TO CONTRIBUTE IN EUROPE TO PEACE, SECURITY, JUSTICE AND COOPERATION,
AS EXPRESSED IN THE FINAL ACT OF THE CONFERENCE ON SECURITY AND
COOPERATION IN EUROPE;

AGREE AS FOLLOWS:

I. SCIENCE AND TECHNOLOGY

ARTICLE 1

THE CONTRACTING PARTIES SHALL CREATE FAVORABLE CONDITIONS
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FOR THE MUTUALLY BENEFICIAL EXCHANGE OF SCIENTIFIC AND TECHNICAL
INFORMATION FOR COOPERATION IN THE APPLICATION OF THE RESULTS OF
SCIENCE AND TECHNOLOGY AND FOR JOINT SCIENTIFIC AND TECHNICAL
WORK PROJECTS. TO THESE ENDS, THE CONTRACTING PARTIES
SHALL PROVIDE, IN THE FIELDS OF PURE AND APPLIED SCIENCE,
APPROPRIATE OPPORTUNITIES FOR AND FACILITATE CONTACTS AND
ACTIVITIES BETWEEN THE SCIENTIFIC AND TECHNOLOGICAL ORGANIZATIONS,
ENTERPRISES AND INDIVIDUALS OF THE TWO COUNTRIES. THEY WILL

ENCOURAGE COOPERATION IN SELECTED SPECIALIZED FIELDS, IN PARTICULAR:

- A) VISITS, STUDY TRIPS AND CONSULTATIONS AMONG SCIENTISTS AND OTHER SPECIALISTS;
- //B. EXCHANGE OF SCHOLARSHIPS FOR STUDY AT SCHOOLS AND SCIENTIFIC INSTITUTIONS; //
- C. EXCHANGE OF SCIENTIFIC AND TECHNICAL INFORMATION AND DOCUMENTATION, INCLUDING TT EXCHANGE OF SCIENTIFIC AND TECHNICAL FILMS;
- D) JOINT DEVELOPMENT AND IMPLEMENTATION OF SCIENTIFIC PROGRAMS AND PROJECTS OF MUTUAL INTEREST, INCLUDING JOINT RESEARCH, TESTING, AND THE EXCHANGE OF RESEARCH RESULTS AND EXPERIENCE;
- E) ORGANIZATION OF SCIENTIFIC AND TECHNICAL SEMINARS, CONFERENCES AND OTHER JOINT PROJECTS;
- F) ORGANIZATION OF SCIENTIFIC AND TECHNICAL EXHIBITIONS AND DISPLAYS ON A NON-COMMERCIAL BASIS;
- G) OTHER FORMS OF SCIENTIFIC AND TECHNICAL COOPERATION WHICH WILL BE DETERMINED.

ARTICLE 2

BOTH CONTRACTING PARTIES SHALL CREATE FAVORABLE CONDITIONS FOR DIRECT CONTACTS AND THE CONCLUSION OF IMPLEMENTING AGREEMENTS BETWEEN APPROPRIATE ORGANS, ORGANIZATIONS AND FIRMS OF THEIR RESPECTIVE STATES.

II. //EDUCATION, CULTURE, COMMUNICATIONS, SPORT AND TOURISM (NOTE: GOC MAY INSIST ON INCLUSION OF "HEALTH SERVICES")//.

ARTICLE 3

THE CONTRACTING PARTIES WILL ENCOURAGE EXCHANGES AND COO-
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PERATION IN THE ARTS, CULTURE, COMMUNICATIONS, INFORMATION, EDUCATION, THE HUMANITIES AND OCIAL SCIENCES, SPORTS AND OTHER FIELDS, ON THE BASIS OF MUTUAL BENEFIT, BY PROVIDING OPPORTUNITIES FOR AND FACILITATING APPROPRIATE CONTACTS AND ACTIVITIES BETWEEN INSTITUTIONS AND INDIVIDUALS OF THE TWO COUNTRIES. SUCH CONTACTS AND ACTIVITIES MAY INCLUDE, AMONG OTHERS, THE FOLLOWING:

- A) EXCHANGE OF STUDENTS, INSTRUCTORS, LECTURERS, SCHOLARS, RESEARCHERS, PROFESSORS, EDUCATION OFFICIALS, AND SPECIALISTS;

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C O N F I D E N T I A L SECTION 02 OF 02 PRAGUE 2806

B) COOPERATION AMONG UNIVERSITIES, OTHER INSTITUTIONS OF
HIGHER LEARNING, LEARNED SOCIETIES AND CULTURAL ORGANIZATIONS;

C) EXCHANGE OF SCHOLARSHIPS FOR STUDY AOSCHOOLS, SCIENTIFIC
AND CULTURAL INSTITUTIONS;

D) EXCHANGE OF BOOKS, PERIODICALS, AND OTHER MATERIALS
FOR USE BY CULTURAL AND SCIENTIFIC ORGANIZATIONS, UNIVERSITIES,
OTHER INSTITUTIONS OF HIGHER LEARNING AND LEARNED SOCIETIES;

E) COOPERATION IN THE ORGANIZATION OF JOINT RESEARCH,
CONFERENCES AND SYMPOSIA;

F) SHOWING OF EXHIBITS OF A CULTURAL, EDUCATIONAL AND
INFORMATIONAL NATURE;

G) EXCHANGE OF REPRESENTATIVES IN THE FIELDS OF ARCHITECTURE,
PAINTING, SCULPTURE, LITERATURE, MUSIC, THE THEATRE,
ECOLOGY, //HEALTH SERVICES// AND OTHER FIELDS;

H) APPEARANCES OF PROFESSIONAL AND NON-PROFESSIONAL
MUSICAL, DANCE, AND THEATRICAL GROUPS, CONDUCTORS, AND
INDIVIDUAL PERFORMING ARTISTS;

I) TEACHING OF THE LANGUAGE OF THE OTHER PARTY IN THE
SCHOOLS, AS WELL AS TRANSLATIONS AND PUBLICATION OF OUTSTANDING
SCIENTIFIC, LITERARY AND ARTISTIC WORKS OF THE OTHER
COUNTRY; AND

J) ACCESS TO LIBRARIES, MUSEUMS, //CULTURAL CENTERS,/
READING ROOMS AND ARCHIVES.

ARTICLE 4

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THE CONTRACTING PARTIES WILL ENCOURAGE MUTUAL COOPERATION IN THE FIELDS OF FILM, RADIO, TV, AND PRESS, INCLUDING THE SHOWING OF DOCUMENTARY AND FEATURE FILMS OF THE OTHER COUNTRY, IN ADDITION TO OTHER ACTIVITIES.

THE CONTRACTING PARTIES WILL ENCOURAGE VISITS AND EXCHANGES OF JOURNALISTS, EDITORS AND PUBLISHERS.

//THE CONTRACTING PARTIES WILL ALSO ENCOURAGE AND FACILITATE THE EXCHANGE OF BOOKS, PERIODICALS, NEWSPAPERS, AND OTHER MATERIALS DESIGNED TO INCREASE KNOWLEDGE OF THE PEOPLES AND CULTURES OF THE TWO COUNTRIES.//

ARTICLE 5

THE CONTRACTING PARTIES WILL ENCOURAGE EXCHANGES AND COOPERATION BETWEEN THE SPORTS ORGANIZATIONS OF THE TWO COUNTRIES THROUGH TEAM AND INDIVIDUAL EXHIBITIONS AND COMPETITIONS AND EXCHANGE OF SPECIALISTS IN PHYSICAL EDUCATION AND SPORTS.

ARTICLE 6

THE CONTRACTING PARTIES WILL ENCOURAGE TRAVEL BETWEEN THE TWO COUNTRIES OF TOURISTS, AS INDIVIDUALS AND IN GROUPS, TO ACQUAINT THEMSELVES WITH THE LIFE, WORK AND CULTURE OF THE PEOPLES OF EACH COUNTRY.

III. GENERAL AND FINAL PROVISIONS

ARTICLE 7

A) FOR THE PURPOSES OF IMPLEMENTING THIS AGREEMENT, THE PARTIES WILL CONVENE MEETINGS OF THEIR DESIGNATED REPRESENTATIVES AT LEAST ONCE A YEAR.

B) TO CARRY OUT THEIR FUNCTIONS, THE DESIGNATED REPRESENTATIVES MAY ESTABLISH WORKING GROUPS, AS APPROPRIATE.

C) WHENEVER FEASIBLE, THE PARTIES WILL GIVE EACH OTHER ADVANCE NOTICE, THROUGH DIPLOMATIC CHANNELS, OF THE PROPOSALS TO BE NEGOTIATED.

D) THE DESIGNATED REPRESENTATIVES WILL REVIEW CURRENT CONFIDENTIAL

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ACTIVITIES, CONSIDER FUTURE ACTIVITIES AND MAKE RECOMMENDATIONS, AS APPROPRIATE, TO THE PARTIES AND THE PARTICIPATING ORGANIZATIONS.

E) THE DESIGNATED REPRESENTATIVES WILL ADOPT TWO SEPARATE PROGRAMS OF EXCHANGES AND COOPERATION IN THE FIELD OF CULTURE AND EDUCATION AND IN THE FIELD OF SCIENCE AND TECHNOLOGY.

F) THE PARTIES AGREE TO ENCOURAGE AND FACILITATE, AS APPROPRIATE, ADDITIONAL EXCHANGES AND COOPERATION WHICH MAY BE AGREED UPON BY THE CONTRACTING PARTIES OR ARRANGED IN ACCORDANCE WITH THE OBJECTIVES OF THIS AGREEMENT BY INTERESTED ORGANIZATIONS OR INDIVIDUALS ACTIVE IN THE FIELDS OF CULTURE, EDUCATION, SCIENCE AND TEKANOLOGY.

ARTICLE 8

THIS AGREEMENT, AND THE EXCHANGES AND COOPERATION UNDER IT, WILL BE SUBJECT TO THE CONSTITUTION AND APPLICABLE LAWS AND REGULATIONS OF THE RESPECTIVE COUNTRIES. WITHIN THIS FRAMEWORK, BOTH PARTIES WILL USE THEIR BEST EFFORTS TO PROMOTE FAVORABLE CONDITIONS FOR THE FULFILLMENT OF THE PROVISIONS AND OBJECTIVES OF THIS AGREEMENT AND THE EXCHANGES AND COOPERATION UNDER IT.

ARTICLE 9

//THIS AGREEMENT WILL ENTER INTO FORCE UPON SIGNATURE AND REMAIN IN FORCE FOR TWO YEARS. UNLESS TERMINATED BY EITHER CONTRACTING PARTY UPON SIX MONTHS WRITTEN NOTICE TO THE OTHER CONTRACTING PARTY IT WILL AUTOMATICALLY BE PROLONGED FOR AN ADDITIONAL YEAR ANNUALLY UP TO A TOTAL OF FIVE YEARS FROM THE DATE OF THE ORIGINAL SIGNING.

THE TERMINATION OF THIS AGREEMENT SHALL NOT AFFECT THE VALIDITY OF AGREEMENTS MADE HEREUNDER BETWEEN AGENCIES, ORGANIZATIONS AND ENTERPRISES OF BOTH COUNTRIES.//

IN WITNESS WHEREOF THE RESPECTIVE REPRESENTATIVES, DULY AUTHORIZED FOR THE PURPOSE, HAVE SIGNED THIS AGREEMENT.

DONE AT....., IN DUPLICATE, THIS.....DAY OF
19...., IN THE ENGLISH AND CZECH LANGUAGES , BOTH EQUALLY
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AUTHENTIC.

FOR THE GOVERNMENT OF UNITED STATES OF AMERICA FOR THE GOVERNMENT OF THE CZECHOSLOVAK SOCIALIST REPUBLIC

END TEXT.
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